

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GENX PROCESSORS MAURITIUS LIMITED,

Case No. 2:14-cv-01938-APG-PAL

v. Plaintiff,

ORDER

MATTHEW G. JACKSON a/k/a MATT G. JACKSON, et al.,

(Mot. Judge Debtor Exam – ECF No. 42)

Defendants.

13 This matter is before the court on Plaintiff Genx Processors Mauritius Limited's Motion to
14 Proceed in Aid of Execution Requiring Judgment Debtor's Appearance Before the Court Pursuant
15 to NRS 21.280 (ECF No. 42). This Motion is referred to the undersigned pursuant to 28 U.S.C.
16 § 636(b)(3) and LR IB 1-7(k) of the Local Rules of Practice.

17 The Application asserts that a judgment debtor examination of Matthew G. Jackson a/k/a
18 Matt G. Jackson (“Jackson”) is necessary to enable Plaintiff, the judgment creditor, to discover the
19 assets, real and personal property, and any facts relating thereto, which may assist in obtaining
20 satisfaction of the judgment. Mot. (ECF No. 42). The judgment debtors are Jackson, Symmetric,
21 LLC, and Symmetric, Inc. *See* Orders (ECF Nos. 11, 35). Mr. Jackson is believed to be an owner
22 of the two Symmetric entities.

23 Rule 69 of the Federal Rules of Civil Procedure provides that a “money judgment is
24 enforced by a writ of execution.” Fed. R. Civ. P. 69(a)(1). In aid of the judgment or execution, a
25 judgment creditor may obtain discovery from any person, including the judgment debtor. Fed. R.
26 Civ. P. 69(a)(2). In “proceedings supplementary to and in aid of judgment or execution,” the
27 procedure “must accord with the procedure of the state where the court is located.” Fed. R. Civ.
28 P. 69(a)(1). Nevada law provides that a judgment creditor is entitled to a court order “requiring

1 the judgment debtor to appear and answer upon oath or affirmation concerning his or her property.”
2 NRS 21.270(1). However, “[n]o judgment debtor may be required to appear outside the county in
3 which the judgment debtor resides.” NRS 21.270(1).

4 Here, the Motion states that Jackson’s current location is unknown due to his evasive
5 tactics. However, “as a principal and owner of the remaining judgment by requiring him to appear
6 on behalf of the judgment debtors, he will receive notice of his required appearance through service
7 upon his entities by way of their registered agents in Nevada.” *Id.* at 7 n.1. The location of service
8 is not relevant to the inquiry under NRS 21.270(1). As there is no indication that Mr. Jackson
9 resides in Clark County, Nevada, the county in which the courthouse is located, the Motion is
10 denied without prejudice. Any subsequent motion should include a proposed order.

11 Accordingly,

12 **IT IS ORDERED:** Plaintiff Genx Processors Mauritius Limited’s Motion to Proceed in
13 Aid of Execution Requiring Judgment Debtor’s Appearance Before the Court Pursuant to NRS
14 21.280 (ECF No. 42) is DENIED without prejudice.

15 Dated this 25th day of September, 2017.

16
17 
18 PEGGY A. KEEN
19 UNITED STATES MAGISTRATE JUDGE
20
21
22
23
24
25
26
27
28